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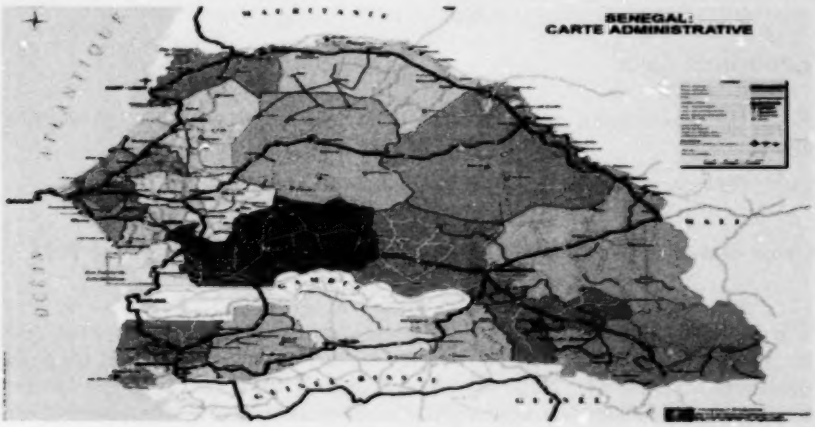
Contents

		Page
I.	Geographical and demographic characteristics of Senegal	3
	A. Geographical characteristics	3
	B. Demographic characteristics	3
II.	Economic data	4
	A. Gross domestic product: breakdown and preliminary figures for 2014	4
	B. Trends in 2014	4
III.	Political, administrative and judicial institutions	7
	A. Political and administrative situation	7
	B. Institutions for the protection and promotion of human rights	10
	C. Judicial institutions	15
IV.	Conclusion	16

I. Geographical and demographic characteristics of Senegal

A. Geographical characteristics

1. Senegal is situated in the westernmost part of the African continent on the Atlantic Ocean, where Europe, Africa and the Americas converge and at the crossroads of major air and shipping routes. Covering an area of approximately 196,722 km2, it is bounded to the north by Mauritania, to the east by Mali, to the south by Guinea and Guinea-Bissau, and to the west by the Gambia and an Atlantic coastline of over 500 km. The capital Dakar, with an area of 550 km2, sits on a peninsula at the western tip of the country. The climate is of the Sudano-Sahelian type, characterized by a dry season from November to May and a rainy season from June to October.



B. Demographic characteristics

2. The Senegalese population is very ethnically diverse. The country has about 20 ethnic groups, with the largest being the Wolof (43 per cent of the population), the Fulani (24 per cent) and the Serer (15 per cent). Other groups are located in the southern areas of the country, particularly in the region of Casamance. They include the Diola, which is the largest of these communities, and the smaller communities of the Mandingo and the Bambara, which are located in outlying regions close to Mali and Guinea. Other ethnic minorities live in the mountains of the south-east, such as the Bassari in the foothills of the Fouta Djallon highlands.

3. This ethnic diversity is accompanied by a range of vibrant cultures, each with its own age-old traditions. Ever since Senegal became a sovereign nation, the Government has sought to uphold and respect the country's authentic, highly valued traditional cultures and to promote the use of national languages on a par with French, the official language. Inter-ethnic marriages, the peaceful coexistence of religious communities and the cultural tradition of "friendly banter" all help to ensure the cohesion of the Senegalese nation.

4. According to the General Population, Housing and Agricultural Census carried out in December 2013, the population of Senegal is estimated at 13,508,715, of which 49.9 per cent are men and 50.1 per cent are women. The average fertility rate is 5.1 children per woman.

5. The population of Senegal is young: the average age is 22.4 years and the median age is 18.7 years. The population is primarily rural — 54.8 per cent — compared with 45.2 per cent urban.

6. The population is unevenly distributed around the country. The Dakar Region is by far the most populated, with 3,137,196 inhabitants, while the Kédougou Region is the least populated, with 151,715 inhabitants.

7. Given the national average population density of 69 inhabitants per km2, the Dakar Region is also the most densely populated one, with 5,735 inhabitants per km2.

8. The unemployment rate in Senegal is estimated to be over 25.7 per cent. In urban areas, the rate is 17.7 per cent (12 per cent among men compared with 28.1 per cent among women); in rural areas, it is estimated at 33.4 per cent. Unemployment is higher among women than men in all regions of the country.

II. Economic data

9. The national budget was 1,659 billion CFA francs in 2013 and 1,860.3 billion CFA francs in 2014.

10. The economy is driven chiefly by the primary, secondary and tertiary sectors.

A. Gross domestic product: breakdown and preliminary figures for 2014

11. A series of positive economic developments led to signs of recovery in 2014 following a period of sluggishness attributable to a lack of resilience to external shocks, the fact that rain-fed agriculture is the prevalent form of farming and generally weak industrial infrastructure. The upswing in the economy that began in 2014 is a reflection of stronger domestic demand bolstered by higher public investment in energy and infrastructure under the Emerging Senegal Plan. The real gross domestic product growth rate in 2014 was estimated at 4.5 per cent, compared with 3.5 per cent in 2013. That increase of 1 percentage point was the result not only of a dynamic services sector but also of recovery in the secondary sector. The primary sector had slowed down owing to difficulties in the crops subsector.

B. Trends in 2014

12. In 2014, the primary sector saw a very slight gain, of 0.8 per cent, after a rise of 3.3 per cent the previous year. This slowdown can be traced to the crops subsector and reflects the uncertainty as to whether the wet season would unfold normally given the late arrival of the rains in several parts of the country. Rainfall was insufficient in some areas, leading the Government to take a series of pre-emptive measures to mitigate the impact of late rains on crop production. For example, short-season cowpea and millet varieties that are better adapted to low-rain conditions were made available; and prices were reduced for urea and fertilizer for peanut and millet crops.

13. Overall, industrial agriculture saw a 3.4 per cent drop, following a 2.3 per cent slide in 2013 triggered by the fall in peanut production. Subsistence farming, however, continued its upward trend from 2013 with a 1.3 per cent increase, with stronger horticultural production offsetting the poor grain yields. Thus, the crops subsector was forecast to grow slightly, by 0.1 per cent, in 2014, after an increase of 0.3 per cent the previous year.

14. The lacklustre performance in the crops subsector was mitigated by growth in the livestock and fisheries subsectors. Livestock activities grew by 1.5 per cent in 2014, compared with 8.9 per cent the previous year. This slowdown reflects the reduction in the cattle (-1.8 per cent) and sheep (-30.3 per cent) slaughter rates and in poultry production (-0.7 per cent). This downward trend would be offset by increased raw milk production, which was expected to rise by 8.3 per cent in 2014 as a result of important steps taken by the authorities, in particular artificial insemination, to promote local milk production. The fisheries subsector was expected to grow by 1.5 per cent in 2014, following on a 0.9 per cent increase in 2013. This improvement can be attributed to commercial fishing activities, whose landings rose markedly in the first half of 2014 (+10.1 per cent) with the recovery of the fish processing industry. However, over the same period, landings by small-scale fishers slid by 2.2 per cent as evidence of the ongoing difficulties in this subsector due to scarcity of the resource.

15. In 2014, the secondary sector benefited from the recovery of the fats and oils, sugar, chemicals and building materials subsectors coupled with the buoyancy of construction and public works. Thus, the sector saw a 4.9 per cent rise in 2014, following a 1.5 per cent contraction the previous year.

16. Structural problems in the oil-processing industry, whose competitiveness is seriously compromised by high production costs, continue to stifle expansion in the manufacturing of fats and oils. On average, over the 2011-2013 period, the subsector shrank by 19.6 per cent. However, activity was jump-started in 2014 by State support designed to turn the subsector around. The subsector subsequently posted 6.5 per cent growth, compared with a 26.1 per cent drop in 2013.

17. Sugar and confectionery product manufacturing saw renewed growth in 2014, reversing the previous year's poor performance that had been caused by production stoppages linked to marketing problems. The subsector enjoyed 25 per cent growth, compared with a 10.7 per cent decline in 2013. Reflecting this resumption of production activity, sugar imports fell by 66 per cent in the first seven months of 2014 compared with the same period in 2013.

18. The first signs of a recovery in chemical manufacturing began in 2014 with the recapitalization of Industries Chimiques du Sénégal through a capital injection of US$ 100 million into the company by Indonesian partners. The production of phosphoric acid and fertilizers, which had suffered badly from repeated outages and shortages of inputs, was thus given a boost by investments aimed at getting production back on track. The subsector saw growth on the order of 2.3 per cent, following a 24.6 per cent drop in 2013.

19. The building materials subsector seemed to be coming out of a two-year run of sluggishness. Production grew by 7.3 per cent in 2014, compared with 0.4 per cent in 2013 and -0.1 per cent in 2012. This turnaround reflects the resumption of construction projects in Mali and also the vigour of construction and public works in Senegal. The latter posted growth of 12.2 per cent, compared with 10.3 per cent in 2013, owing mainly to the launch of large-scale infrastructure projects by the Government, such as the construction of the Blaise Diagne international airport and the Diamniadio conference centre, extension of the toll road and the start-up of road projects (National Road 6 and the bridges at Ndioum and Kolda, among others) funded under the Millennium Challenge Account.

20. The upward trend in the secondary sector was also driven by the recovery in the oil-refining industry (+12.4 per cent in 2014 compared with -0.8 per cent in 2013), the manufacture of rubber products (+17.2 per cent compared with -2.8 per cent in 2013), metallurgy (+12.3 per cent compared with -15.1 per cent in 2013) and the manufacture of machinery (+19.2 per cent compared with -20.3 per cent in 2013).

21. The meat and fish processing and preservation subsector saw a 5 per cent increase in 2014, following a 9.3 per cent rise the previous year. This strong performance is the result of the takeover of the main fish-processing facility by Korean investors, who were able to boost production.

22. Cotton ginning and textile manufacturing benefited from a good harvest in 2013, with a yield of 32,248 tons of cotton compared with 25,376 tons in 2012. Overall, the subsector saw a 5 per cent rise in 2014, following an estimated 2.1 per cent gain in 2013.

23. The leather and transport equipment manufacturing subsectors also maintained their buoyancy. The manufacturing of leather and leather goods was expected to see a 10.2 per cent rise in 2014 (compared with +10.3 per cent in 2013), driven by strong domestic demand. The manufacturing of transport equipment benefited from a robust level of orders for ship repairs. The subsector posted a 23.4 per cent increase in 2014, following on 23 per cent growth the previous year.

24. The energy subsector grew at a rather moderate pace of 3.5 per cent in 2014. Nevertheless, considerable progress was made in the supply of electricity thanks to the recovery of production capacity and the development of additional capacity, which enabled the national electricity provider (Senelec) to meet demand more effectively. Overall, electricity production grew by 4 per cent in 2014, while water production rose by 2 per cent.

25. Recovery in the secondary sector was undercut by some poorly performing subsectors, in particular mining, grain milling, the manufacture of food grain products and wood processing.

26. Production in the mining industry overall was down compared with 2013. Phosphate production dropped by an annual rate of 20.6 per cent owing in part to recurring mechanical, electrical and technical failures and frequent power interruptions that severely impaired operations. Attapulgite production fell by 15.5 per cent in 2014. Gold production slid 15.7 per cent from 2013, as prices dropped on the international market. This downward trend was offset by a 3.2 per cent rise in salt production. Overall, the subsector's poor performance in 2013 continued in 2014, with a 16.6 per cent dip (compared with -24.7 per cent in 2013).

27. The 17.4 per cent decline in the grain milling subsector in 2014 reflected lower wheat flour production, which fell by 23.2 per cent in the first half of 2014. The manufacturing of food grain products followed a similar path, decreasing by 11.6 per cent in 2014 — after a 21 per cent drop the previous year — because of lower wheat imports (-8.3 per cent) in the first half of the year.

28. The wood processing subsector continued to face competition from imported products, which hindered development. Following a 14.2 per cent drop in 2013, the subsector shrank an estimated additional 1.7 per cent in 2014. The paper and cardboard industry contracted by 5.8 per cent in 2014, after a 21.9 per cent decline the previous year.

29. In sum, despite positive trends in the secondary sector, the structural difficulties experienced in some subsectors remain a weak point that diminishes the prospects for growth in industry.

30. In the tertiary sector, the renewed vitality seen in 2013 continued in 2014, driven in part by the post and telecommunications subsector and financial services. However, commercial activities, transport and the hotel and restaurant industry felt the impact of the Ebola virus epidemic. Services grew 5.6 per cent in 2014, compared with 6.4 per cent in 2013.

31. In the post and telecommunications subsector, mobile telephone and mobile Internet services continued to develop rapidly thanks to fierce competition among the various providers. The mobile phone penetration rate passed the 100 per cent mark, reaching 111.5 per cent in June 2014. The overall increase in the subsector was 8 per cent in 2014, compared with 17.1 per cent in 2013.

32. The financial services subsector continued to grow as a result of the diversification of banking services, greater access to credit and the development of new money-transfer systems. The subsector grew by 12.7 per cent in 2014, compared with 11.9 per cent in 2013.

33. The growth in services was fuelled as well by the health-care and community infrastructure areas, which posted 7.9 per cent growth in 2014 (compared with 7.8 per cent in 2013). This was a reflection of robust performance in the private sector as well as the Government's efforts to improve access to health care.

34. Business services also remained buoyant, seeing a 5.1 per cent rise in 2014 (compared with 5.9 per cent in 2013) as a result of the economic recovery.

35. However, growth was slower in education and vocational training (+3.7 per cent in 2014 compared with 4 per cent in 2013), real estate (+3 per cent compared with 4.5 per cent) and hotel and restaurant services (+1.1 per cent compared with -5.3 per cent).

36. In 2014, commercial activities felt the negative impact of the closing of the border with Guinea, which is a significant trading partner accounting for 10 per cent of the exports of Senegal. Nevertheless, the subsector saw a 3.5 per cent rise (following a 0.5 per cent dip in 2013), primarily due to strong sales of fuel and capital goods and to retail trade.

37. The hotel and restaurant industry remained sluggish because of the impact of the Ebola epidemic on tourism. The situation was partially alleviated by the holding of the Summit of la Francophonie in Dakar in November 2014. That notwithstanding, the industry continued its downward trend, sliding by 2.5 per cent after a 5.3 per cent decrease in 2013.

38. In the transport subsector, fallout from the Ebola epidemic — such as the closing of the border with Guinea and the cancellation of hotel reservations — had an impact on land and air transport. Thus, the subsector saw a slowdown in 2014, with growth at 3 per cent compared with 12.4 per cent in 2013.

III. Political, administrative and judicial institutions

39. Pursuant to article 6 of the Constitution, the institutions of the Republic are:

- The President of the Republic;
- The National Assembly;
- The Government;
- The Economic, Social and Environmental Council;
- The Constitutional Council, the Supreme Court, the Court of Audit and the courts and tribunals.

A. Political and administrative situation

40. Since 1960, Senegal has been committed to establishing the rule of law and democracy and to promoting and protecting fundamental human rights and freedoms.

41. Politics in Senegal previously operated under a single-party system in the form of the Senegalese Progressive Union, which later became the Socialist Party under the leadership of Léopold Sédar Senghor. The democratic institutions and multiparty system established between 1970 and 1980 have long been held up as a model on a continent dominated by authoritarian regimes. In 1981, Abdou Diouf took over from Mr. Senghor as President of the Republic. Re-elected in 1983, 1988 and 1993, Mr. Diouf conceded — against a backdrop of accusations of electoral fraud from the opposition — to the Socialists' long-standing rival, Abdoulaye Wade, in 2000. After 40 years of Socialist Party rule in the country, President Wade embodied the Senegalese people's desire for change and brought about one of the few peaceful handovers of political power in Africa. In January 2001, Senegalese voters approved, by more than 90 per cent of the votes cast in a referendum, the new Constitution presented by President Wade. On 25 February 2007, Mr. Wade was re-elected in the first round of voting, receiving 55.9 per cent of the votes cast in elections that were monitored and validated by international observers.

42. Article 3 of the Constitution of 22 January 2001 expressly provides that: "National sovereignty belongs to the people and is exercised by the people through their representatives or by referendum. No group of people or any individual may exercise sovereignty in their own right. Suffrage may be direct or indirect. It shall always be universal, equal and secret. All Senegalese nationals of either sex, aged 18 or over and in possession of their civil and political rights, shall be entitled to vote under the conditions determined by law."

43. Parties or coalitions may compete in elections. The country's full multiparty system enables any group of citizens, so long as they respect the fundamental values of the Republic, to form a political association simply by following the straightforward procedure established for that purpose. All citizens have the right to set up associations, economic, cultural and social groups and enterprises freely, provided that they do so in accordance with the procedures established for that purpose in the country's laws and regulations.

44. Article 4 of the Constitution adds that: "Political parties and coalitions may compete in elections. They are required to observe the Constitution and the principles of national sovereignty and democracy. They may not identify with a particular race, ethnic group, sex, religion, sect, language or region."

45. Article 5 states that: "Any act of racial, ethnic or religious discrimination and any regionalist propaganda prejudicial to the internal security of the State or to the integrity of the territory of the Republic shall be punishable by law."

46. The local level of government provides the institutional framework for citizens' participation in running public affairs. This level is administered independently by elected assemblies.

47. In 2002, the Government launched the National Good Governance Programme (subsequently amended in 2007), which deals with local, economic and legal governance and better-quality employment, among other issues.

48. Administratively, Senegal is divided into 14 regions and 45 departments. In 2008, following the creation of the eleventh region (Matam), the departments of Kédougou, Kaffrine and Sédhiou were raised to the status of region. Departments are the subdivisions of a region and are themselves divided into arrondissements. The Local Governance Code (see Act No. 96-06 of 22 March 1996 for the basic statutory text) further strengthened the autonomy of local-level governments by transferring considerable powers to them. Each region is administered by a governor and regional councillors; these are elected posts. Large cities are subdivided into urban communes (*communes d'arrondissements*), or clusters of arrondissements (43 in total, 19 of which are in Dakar), while smaller cities are divided into municipalities (*communes*) (150 in total): these subdivisions are administered

by elected mayors and municipal councillors. The country's non-urban area is divided into 340 decentralized rural communes, which are governed by locally elected executive officers and rural councillors. Recognizing the difficulties in implementing the Act of 1996, the Government introduced a new decentralization policy known as Act III-Decentralization.

49. In that connection, the President clearly stated his intention to "bring about, by way of consensus and forward-looking dialogue, the modernization of the State through a process of decentralization anchored in consistent principles and effective implementation".

50. Through this reform initiative, the Government embarked on a complete overhaul of the structure of State action at the local level.

51. The reform is built around the concept of devolution. By revisiting how public policy is designed and implemented, the initiative will foster development in Senegal by tapping the opportunities, assets and potential of local-level communities throughout the country.

52. Implementation of the Act III-Decentralization initiative will be guided by the President's vision of a Senegal organized into viable and competitive local-level governments that will be the drivers of sustainable development by the year 2022.

53. This vision is rooted in land-use planning as a policy and seeks to empower local stakeholders so that they may realize their aspirations and thereby create a shared perspective of local government. In that sense, it lays the foundations for the devolution of public policymaking to the local level.

54. The Act III-Decentralization initiative has four core objectives:

- Create strong foundations at the local level to underpin the administrative reform;
- Clearly delimit the powers of the State and those of local-level government;
- Establish formal relationships between these two levels of decision-making;
- Modernize local-level governance, including critical reform of local use of funds and long-term support for quality human resources.

55. Given its complexity and decisive impact on the country's future, the initiative will be rolled out gradually in two stages.

56. In furtherance of the Act III-Decentralization vision and core objectives, the first stage focuses on:

- Eliminating the region as a local level of government;
- Raising departments to the status of a local-level government;
- Standardizing the system of local-level governance by raising urban communes and rural communes to the status of municipality;
- Establishing the city as a level of local government that pools the authority of its constituent municipalities;
- Reassigning the nine areas of responsibility heretofore assigned to different levels of local government.

57. The first stage will reduce, immediately, the number of layers of government and pave the way for local-level governments to establish, in the second phase, linkages by way of cross-departmental cooperation.

58. The proposal to eliminate the region as a local level of government stems as well from this structure's mixed results, as the 1996 reform that created the regions was intended

to establish an intermediate administrative level for the coordination, harmonization and stimulation of economic development.

59. Moreover, it is the departments — not the regions — that are the intermediate level of government closest to local communities.

60. The desire to have a socially, culturally and economically homogeneous area with a strong sense of belonging is justification enough for eliminating the regions and making the department the seat of local government. The sociological ties that bind citizens to their local environment will be tapped to build new political spaces offering genuine autonomy, democracy and local governance.

61. Raising urban communes to the status of municipality will help to correct the many problems that have been observed in such matters as:

- The financial autonomy and management of urban communes;
- The limited capacity of urban communes to provide quality services and infrastructure;
- The unstructured distribution of powers between cities and urban communes;
- The unclear relationship between cities and urban communes;
- Recurring areas of dispute between cities and urban communes.

62. The change in urban communes' status makes it necessary to redefine what a city is, so that it may exercise those powers that the new municipalities cannot exercise independently.

63. Following the model of the departments and municipalities, it will thus be possible to establish, by decree, cities that are made up of groups of municipalities which share similar features.

64. Cities would also exercise the powers vested in the departmental council when a city is coextensive with a department.

65. The second stage of the Act III-Decentralization initiative will entail the establishment of government service hubs, efforts to remedy regional disparities, further devolution of powers and additional funding for local development.

B. Institutions for the protection and promotion of human rights

66. In the Constitution of 22 January 2001, Senegal — by abolishing the death penalty — demonstrated its resolve to promote, protect and defend human rights, with a particular focus on combating racial discrimination, impunity, corruption, torture and arbitrary detention.

67. This resolve can also be seen in efforts to protect children, to promote and ensure respect for the rights of women and to protect persons with disabilities and members of vulnerable groups.

68. The sovereign people of Senegal affirm their adherence to the Declaration of the Rights of Man and of the Citizen of 1789, the Universal Declaration of Human Rights of 10 December 1948, the Convention on the Elimination of All Forms of Discrimination against Women of 18 December 1979, the Convention on the Rights of the Child of 20 November 1989, the African Charter on Human and Peoples' Rights of 27 June 1981 (ratified on 13 August 1982) and the African Charter on the Rights and Welfare of the Child, adopted in Addis Ababa in July 1990 (ratified on 22 September 1996).

69. Senegal has ratified the following instruments:

- The Convention relating to the Status of Refugees, signed in Geneva on 28 July 1951 (date of ratification: 9 May 1963), and the Protocol thereto, signed in New York on 31 January 1967 (date of ratification: 3 October 1967);
- The International Covenant on Civil and Political Rights, adopted in New York on 16 December 1966 (date of ratification: 1978);
- The International Covenant on Economic, Social and Cultural Rights, adopted in New York on 16 December 1966 (date of ratification: 13 February 1978);
- The Optional Protocol to the International Covenant on Civil and Political Rights, adopted in New York on 16 December 1966 (date of ratification: 13 February 1978);
- The International Convention on the Elimination of All Forms of Racial Discrimination, signed in New York on 7 March 1966 (date of ratification: 19 April 1972);
- The Convention on the Elimination of All Forms of Discrimination against Women, adopted in New York on 18 December 1979 (date of ratification: 5 February 1985);
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted in New York on 10 December 1984 (date of ratification: 21 August 1986);
- The Convention on the Rights of the Child, adopted in New York on 20 December 1989 (date of ratification: 31 July 1990);
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (date of ratification: 31 October 2003);
- The Rome Statute of the International Criminal Court, adopted on 17 July 1998 (date of ratification: 2 February 1999);
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the General Assembly of the United Nations on 18 December 1990 by resolution 45/158 and entered into force on 1 July 2003;
- The United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, signed in Palermo, Italy, in December 2000 and ratified on 19 September 2003 by Act No. 2003-17 of 18 July 2003.

70. Senegal has also ratified a number of African legal instruments, such as the African Charter on Human and Peoples' Rights, signed in Nairobi on 21 June 1981 (ratified on 13 August 1982), the African Charter on the Rights and Welfare of the Child, adopted in Addis Ababa in July 1990 (ratified on 29 September 1996) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (adopted in Maputo on 11 July 2003).

71. The protocols establishing the African Court on Human and Peoples' Rights (adopted on 10 June 1998 and entered into force on 25 January 2004) and the African Court of Justice of the African Union (adopted on 11 July 2003) have also been ratified. Senegal

is actively engaged in the process of merging these courts into a single body (African Court of Justice and Human Rights).

72. The determination to promote and protect human rights can be seen in article 98 of the Constitution, which expressly states: "Treaties or agreements duly ratified or approved shall, upon publication, outrank laws, subject in each case to application of the agreement or treaty by the other party." Consequently, every international human rights legal instrument ratified by Senegal has been incorporated into the domestic legal order and forms part of the body of domestic law that the organs of State are obliged to implement.

73. Title II of the Constitution, entitled "Civil liberties and personal freedoms, economic, social and collective rights", guarantees the exercise of the following civil and political rights without discrimination of any kind on the basis of race: freedom of opinion, freedom of expression, freedom of the press, freedom of association and freedom to demonstrate. The following are also established: cultural rights, religious rights, philosophical rights, trade union rights, freedom of expression and freedom to demonstrate, the right of free enterprise, the right to education, the right to literacy, the right to own property, the right to work, the right to health, the right to a healthy environment and the right to diversity of information.

74. Article 7 of the Constitution adds: "The Senegalese people acknowledges the existence of inviolable and inalienable human rights as the basis of any human community and of peace and justice in the world. All human beings are equal before the law. Women and men are equal before the law. In Senegal no right or privilege shall attach to place of birth, identity or descent."

75. Furthermore, the Constitution grants all citizens the right to express and disseminate their opinions freely through the spoken or written word, images or peaceful demonstrations, provided that the exercise of these rights does not insult or defame others, or disturb the public order (Constitution, art. 10).

76. Media outlets that provide information on politics, the economy, culture, sports, social issues, leisure or science may be freely established without the need for prior authorization of any kind (Constitution, art. 11).

77. A number of provisions in the new Constitution expressly set forth women's right to equal treatment before the law. Article 15, paragraph 1, and article 19 establish a woman's right to:

(a) Purchase and own land;

(b) Own assets in her own right and manage her own property.

78. Article 25 prohibits "any form of discrimination between men and women in matters relating to employment, wages or taxation".

79. Parity for men and women in access to elected and political posts has been guaranteed ever since article 7 of the Constitution was amended in November 2007.

80. These provisions were reinforced by the passage of a law on 28 May 2010 which establishes absolute gender parity in totally or partially elected bodies, including the National Assembly and regional and municipal councils.

81. The situation of women has changed considerably in recent years. Forced marriage was prohibited in 2001 under article 17 of the Constitution.

82. Pursuant to Act No. 2013-05 of 8 July 2013, Senegalese women may transmit their nationality to their children and the conditions for acquiring Senegalese nationality have been relaxed for foreign husbands.

83. In order to further improve the status of women, new sectoral policies have been implemented as part of the effort to eliminate female genital mutilation and other forms of violence against women and girls.

84. The policies have been given concrete expression with the adoption of a programme on combating gender-based violence and promoting human rights for the period 2013-2016, with the support of UN-Women, the Office of the United Nations High Commissioner for Human Rights, the United Nations Population Fund and the United Nations Educational, Scientific and Cultural Organization (UNESCO). The programme follows on the adoption in 2010 of the second national action plan to eliminate female genital mutilation.

85. The Demographic and Health Survey revealed a decrease in that practice nationwide, with the rate dropping from 28 per cent in 2004 to 26 per cent in 2013, as reported in the fifth Multiple Indicator Cluster Survey.

86. Very early on, Senegal established sustainable mechanisms to support efforts to prevent and address human rights violations, including torture. The death penalty was abolished by the Parliament on the symbolic date of 10 December 2004.

87. Child protection is a priority for the State and trafficking in children is one of the focuses of the National Strategy for Economic and Social Development. Steps have been taken to end child exploitation, and programmes have been set up to get children off the streets and promote their social integration. The movement of children in border areas and along main roads is closely monitored (Act No. 2005-06 on trafficking in persons and related practices and the protection of victims), and an anti-trafficking unit has been established.

88. The national action plan against trafficking in children is successfully under way, and the Ministry of Education, working with the Ministry for Women's, Family and Children's Affairs, has put in place a number of projects to improve living conditions for children at Koranic schools.

89. To underpin these efforts, the Government launched the National Child Protection Strategy with a budget of approximately 8,966,635,500 CFA francs.

90. A parliamentary committee on law and human rights has been established, and parliamentary networks are active at the subregional level in the promotion and protection of human rights.

91. Furthermore, several regulatory bodies have been set up, including for the broadcast media sector and the monitoring of elections.

92. The National Media Regulatory Council was established pursuant to Act No. 2006-04 of 4 January 2006 to perform a coordinating role, to enforce the rules regarding pluralism, ethical standards and existing laws and regulations, and to monitor compliance with technical specifications and agreements. This new institution is updating and strengthening provisions governing the media in Senegal which have been in place since 1991. It has taken the place of the former High Council for Radio and Television.

93. The National Independent Electoral Commission, established pursuant to Act No. 2005-07 of 11 May 2005, ensures that electoral laws are observed by administrative authorities, political parties, candidates and voters. It has been granted powers that enable it to ensure that elections are free and independent. The digitization of national identity and voter cards and the posting of electoral rolls on the Internet also facilitate the monitoring of elections.

94. Pursuant to General Assembly resolution 59/113 B on the plan of action for the first phase (2005-2007) of the World Programme for Human Rights Education, which focuses on primary and secondary school systems, the Ministry of Education has prepared, in close

cooperation with civil society organizations, human rights content for the basic education cycle. Consultations on the content were conducted at the national level with support from development partners, particularly UNESCO.

95. The Directorate for Human Rights has taken over most of the functions of the former Ministry of Human Rights and promotes and protects human rights in Senegal. Established to enhance the national implementation of international human rights instruments, it receives and investigates complaints and other reports of alleged human rights violations. It also prepares the periodic reports for international treaty bodies with guidance from the National Human Rights Advisory Council.

96. The Directorate for Human Rights receives assistance from the National Human Rights Advisory Council.

97. The National Human Rights Advisory Council is a State entity responsible for coordinating the preparation of periodic reports and ensuring that the recommendations and decisions of regional and international treaty bodies are implemented. It advises the Government in matters of human rights, international humanitarian law and humanitarian efforts.

98. It also advises the Ministry of Justice and relevant ministers on all matters relating to the defence, protection and promotion of human rights and the guarantee of their full enjoyment.

99. The Council was largely inactive for a long period.

100. In 1997, an interministerial committee on human rights and international humanitarian law was established by Decree No. 97-674. The committee was placed under the authority of the Prime Minister and was headed by the Secretary-General of the Government.

101. In addition to the Office of the President and the Office of the Prime Minister, only 12 ministries were represented. That notwithstanding, the committee functioned for a long time.

102. The National Human Rights Advisory Council eventually took over from the committee.

103. Initially under the Office of the High Commissioner for Human Rights and the Promotion of Peace in 2004, the Council was transferred to the Ministry of Human Rights in 2010 and, finally, to the Cabinet of the Secretary of State and the Minister of Justice in 2011.

104. Not surprisingly, this institutional instability had an impact: according to past records, only 17 ministries were represented.

105. Human rights, as a cross-cutting issue, come to play in virtually all areas of government. Accordingly, the Council was expanded to include all the ministries — as well as seven civil society organizations — when it was officially relaunched in July 2013.

106. In the university sphere, the Human Rights and Peace Institute, which is attached to the Faculty of Law and Political Science of the University of Dakar, has developed professional and research master's programmes in human rights. The Institute is continent-wide in scope and its main mission is to offer courses on human rights and provide basic and advanced human rights training to judges, lawyers, professionals, diplomats, doctors, military officers, political decision makers, members of civil society, trade union leaders, journalists, teachers and paramilitary personnel.

107. The Senegalese Human Rights Committee is the national human rights institution. It was established in 1970 as part of the effort to combat all forms of discrimination that undermine human dignity.

C. Judicial institutions

108. Under the Constitution, the judiciary is the guardian of the rights and freedoms enshrined in the Constitution. The judicial framework for the protection of human rights consists essentially of the Constitutional Council and the ordinary courts.

109. When framing laws concerning rights and obligations, legislators — as administrative authorities — may place limitations on the application of legal provisions concerning human rights. In such cases, it is possible to appeal to the Constitutional Council in order to have the law in question set aside through either of two procedures: constitutional challenge or judicial review. The procedures are as follows:

- **Constitutional challenge**: the Constitution of Senegal gives the President of the Republic, or parliamentarians constituting one tenth of the members of the National Assembly, the power to request the Constitutional Council to examine the constitutionality of a law prior to its promulgation. A law that runs counter to legal provisions concerning human rights can be brought before the Constitutional Council for a review of its constitutionality;
- **Judicial review**: this procedure was introduced in order to "democratize" the ability to bring a law before the Constitutional Council for a review of its constitutionality. This is a more open procedure in that, under the conditions set out by law, any defendant may bring an objection on the grounds of unconstitutionality if that person believes that a law that is applicable to his or her case is not in accordance with the Constitution. The courts before which such an objection is lodged are required to refer the matter to the Constitutional Council and to order a stay of proceedings until the Council has issued its ruling. If the Council finds the law to be unconstitutional, it is to be disregarded for the proceedings in question.

110. The Supreme Court, as the highest of the ordinary courts, ensures that human rights are respected throughout the country inasmuch as it is:

- The court of first and last instance for cases of abuse of power by the executive branch and in matters of the legality of actions by local authorities;
- Competent to decide on disputes concerning electoral rolls and rural, municipal and regional elections;
- Competent to hear appeals on grounds of incompetence, error of law or breach of custom in relation to:
    - Judgements rendered by any court of last instance;
    - Decisions of arbitration boards with regard to collective labour disputes;
    - Appeals on points of law against decisions of the Court of Audit and final decisions issued by quasi-judicial administrative bodies;
- Competent to adjudicate:
    - Requests for the review of judgements;
    - Requests for transfer of a case from one court to another on grounds of bias or public safety;

- Actions for damages in cases of misconduct by a judge of an appeals court or assize court or by a panel of judges;
- Discrepancies between last-instance judgements or orders issued by different courts in cases involving the same parties and means.

111. The Supreme Court may also be consulted by the President, the President of the National Assembly or the Government on any legal question related to national matters.

112. The Supreme Court Act provides for the possibility for anyone to challenge a Court decision having the force of res judicata through a special procedure for annulment.

113. The Prosecutor General at the Supreme Court or the litigants may request the annulment of a final judgement of the Court when the judgement is vitiated by procedural error that cannot be attributed to the party concerned and that was decisive in the Court's decision in the matter.

114. The request is considered by the Supreme Court in joint chambers. The judges who had heard the case in appeal are not involved in the deliberations.

115. This procedure gives the litigant the opportunity to have procedural errors attributable to justice officials corrected.

116. At the level of the ordinary courts, this issue relates more to human rights. As such, individuals on trial enjoy, in addition to the rights granted to every party to proceedings, specific rights provided for in criminal proceedings. The guiding principles applicable to criminal proceedings are: the adversarial nature of the proceedings, the presumption of innocence and respect for the right to a defence.

117. Thus, defendants or persons seeking damages in criminal proceedings have the right, in accordance with article 10 of the Universal Declaration of Human Rights, to "a fair and public hearing by an independent and impartial tribunal". In addition, defendants have the right to respect for their physical integrity; this precludes any act of torture in the search for evidence. This principle is set out in article 5 of the Universal Declaration.

118. Furthermore, persons being prosecuted have the right to confidentiality insofar as their correspondence and communications by post, telegraph and telephone are concerned. The right to privacy is also guaranteed.

119. Generally speaking, defendants enjoy all the protections afforded by the international human rights conventions to which Senegal is a party and those stipulated in title II of the Constitution. In the specific case of persons being held in custody, such persons, who have the right to liberty and security, are entitled to have the legality of their detention reviewed. In addition, they are to be brought to trial as promptly as possible.

IV. Conclusion

120. The actual realization of economic, social and cultural rights requires, in addition to a legal and institutional framework that complies with international rules and standards, tangible measures, relevant policies and consistent programmes and resources.

121. On 11 November 2014, on the occasion of the delivery of his general policy statement, the Prime Minister outlined to the National Assembly the President's vision, strategic direction and main projects, as enumerated in the Emerging Senegal Plan.

122. The Plan is valued at 10,278.6 billion CFA francs — of which 7,326.6 billion CFA francs (71 per cent) in Government funding and 2,964 billion CFA francs (29 per cent) in

partner support — and constitutes a benchmark for policies aimed at achieving emerging economy status by 2035.

123. The Plan's three priority areas (agriculture, infrastructure and energy) are divided into 27 projects that were developed in a participatory manner. Public-private partnerships are the main strategy for the implementation of the projects.